

DEC 23 1997

No. 97-873

CLERK

In The
Supreme Court of the United States

October Term, 1997

UNITED STATES OF AMERICA,

Petitioner,

vs.

ALOYZAS BALSYS,

Respondent.

*On Petition for Writ of Certiorari to the
United States Court of Appeals for the Second Circuit*

RESPONDENT'S BRIEF IN OPPOSITION

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There is no need to grant certiorari in this case since it was correctly decided. Certiorari should be granted in *Vytautas Gecas v. United States of America* which was placed on this Court's docket on November 26, 1997 as No. 97-884. The facts in these cases are substantially similar. In *Gecas* the United States Court of Appeals for the Eleventh Circuit concluded that the Fifth Amendment privilege against self-incrimination can not be invoked for fear of foreign criminal prosecution. The results in these cases are diametrically opposed and the *Gecas* case merits the review.

Respectfully submitted,

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